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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/724,220	12/01/2003	Masatoshi Yasunori	0020-5204	9833
2292	7590	09/09/2005	EXAMINER	
BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			QIN, JIANCHUN	
			ART UNIT	PAPER NUMBER
			2837	

DATE MAILED: 09/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/724,220	Applicant(s) YASUNORI, MASATOSHI	
	Examiner Jianchun Qin	Art Unit 2837	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 July 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 2 and 3 is/are allowed.
- 6) ☒ Claim(s) 1 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mechem et al. (4,993,127) in view of Odon (4,624,033).

Mechem et al. disclose the claimed invention. The difference between Mechem et al. and claim 1 is that the claim recites an insert groove linked to the through hole and extended from the through hole to an opposite sided of the placement portion; an engagement member that is rotatably mounted on the main body and that is composed of an engagement portion projected inside the insertion groove to form a small hole larger than the shaft portion and smaller than the bulging portion along with an end portion of the insertion groove, and an operation portion projected outward from the main body; and a biasing member for biasing the engagement members so as to retain the engagement portion of the engagement member in a state of being projected inside the insertion groove of the main body.

Odon teaches a securement device having an insert groove (the space housing the engagement members 60 and 62) linked to a through hole (the hole for button 54)

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and extended from the through hole to an opposite sided of the placement portion; an engagement member (60) that is rotatably mounted on the main body and that is composed of an engagement portion projected inside the insertion groove to form a small hole larger than the shaft portion and smaller than the bulging portion along with an end portion of the insertion groove (Figs. 1-5), and an operation portion (76) projected outward from the main body (Fig. 1); and a biasing member (70) for biasing the engagement members so as to retain the engagement portion of the engagement member in a state of being projected inside the insertion groove of the main body.

It would have been obvious to one having ordinary skill in the art to modify Mechem et al's fixture as taught by Orton to include an insert groove linked to the through hole and extended from the through hole to an opposite sided of the placement portion; an engagement member that is rotatably mounted on the main body and that is composed of an engagement portion projected inside the insertion groove to form a small hole larger than the shaft portion and smaller than the bulging portion along with an end portion of the insertion groove, and an operation portion projected outward from the main body; and a biasing member for biasing the engagement members for the purpose of locking on the bulging portion of a guitar attachment object.

Allowable Subject Matter

3. Claims 2 and 3 are allowed.

Reasons for Allowance

4. The following is an examiner's statement of reasons for allowance:

Please see previous office action dated on 04/29/05 for reasons for allowance.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Response to Arguments

6. Applicant's arguments filed 07/29/05 with respect to claim 1 have been

considered but they are not persuasive.

Applicant argued that "Orton fails to teach the engagement member that is recited in present claim 1, Accordingly, Orton combined with Mechem fail to teach all of the elements of claim 1,". This argument is not persuasive. The Examiner's position is that Odon teaches an engagement member (60) that is rotatably mounted on the main body and that is composed of an engagement portion projected inside the insertion groove to form a small hole larger than the shaft portion and smaller than the bulging portion along with an end portion of the insertion groove (Figs. 1-5), and an operation portion (76) projected outward from the main body (Fig. 1); and a biasing member (70) for biasing the engagement members so as to retain the engagement portion of the engagement member in a state of being projected inside the insertion groove of the main body. It would have been obvious to one having ordinary skill in the art to modify Mechem et al's fixture to include the teaching of Orton for the purpose of locking on the bulging portion of a guitar attachment object.

Contact Information

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jianchun Qin whose telephone number is (571) 272-5981. The examiner can normally be reached on 8:00am - 5:30pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Martin can be reached on (571) 272-2107. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JQ

August 29, 2005



Jianchun Qin
Examiner
Art Unit 2837



DAVID MARTIN
SUPERVISORY PATENT EXAMINER
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